



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: WM-0

August 28, 2013

TO: Each Supervisor

FROM: Gail Farber 
Director of Public Works

UNINCORPORATED COUNTY OF LOS ANGELES QUARTERLY STORMWATER COMPLIANCE REPORT – JULY 2013

At the conclusion of the March 12, 2013, Public Hearing, the Board directed Public Works to designate an Unincorporated Area Stormwater Manager and to begin providing quarterly reports on (1) the status of the California Regional Water Quality Control Board's (Regional Board's) implementation and enforcement of the Los Angeles County Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System Permit (MS4 Permit) and (2) the status of stormwater compliance in the unincorporated areas, including key projects, budget expenditures, and budget forecasting.

Regional Board's Implementation and Enforcement of the MS4 Permit

Education and Outreach

The new MS4 Permit became effective on December 28, 2012. There are 86 permittees associated with the new permit, which include the County of Los Angeles (County), the Los Angeles County Flood Control District, and 84 cities (excluding the Cities of Avalon, Lancaster, Long Beach, and Palmdale). Since the public hearing on March 12, 2013, the Regional Board has conducted various educational and outreach efforts to enhance permittees' and the public's knowledge of the MS4 Permit, including:

- Three informational sessions to clarify various aspects of the permit;
- A mass mailing to 84 cities dated March 28, 2013 (attached), availing Regional Board staff to meet with cities or to attend city council meetings to explain the permit;

- Numerous meetings with individual cities and city councils, including Cities of Burbank, Commerce, Hidden Hills, Santa Clarita, Vernon, Walnut, and others;
- Meetings with government organizations, including San Gabriel Valley Council of Governments and Gateway Cities Council of Governments;
- Meetings with nonpermittees who are potential project partners; and
- Presentations at the California Stormwater Quality Association quarterly meeting and a Southern California Water Committee Workshop.

Enforcement

To date, the Regional Board has taken no enforcement actions related to the newly adopted 2012 MS4 Permit.

Stormwater Compliance in Unincorporated Areas

Status of Key Projects/Programs

Collaborative Watershed Planning

The new MS4 Permit encourages the 86 permittees to collaborate with one another in the development of planning strategies and projects to comply with the permit. The permit allows a permittee three alternative methods to comply with the provisions of the permit. Permittees were required to notify the Regional Board of their intended compliance method by June 28, 2013. The three compliance alternatives were presented to your Board by Public Works on June 18, 2013 (see attached Board letter), with a recommendation to notify the Regional Board of the County's intent to work collaboratively with other permittees to develop Enhanced Watershed Management Programs (EWMPs), Watershed Management Programs (WMPs), and Coordinated Integrated Monitoring Programs (CIMPs), in lieu of developing individual programs. Your Board approved the recommendation.

On June 26, 2013, Public Works notified the Regional Board of the County's intent to collaborate with other permittees in the development of collaborative compliance programs. A total of 70 permittees (including the County) notified the Regional Board of their intent to develop EWMPs, WMPs, and CIMPs and formed 18 watershed groups to develop the aforementioned programs. The County will be participating in 12 of the 18 watershed groups.

Since submitting the notification to the Regional Board, we have commenced working with other permittees to initiate and implement the collaborative watershed-based planning process. On July 30, 2013, Public Works requested authorization to enter into

Memorandums of Understanding for a not-to-exceed amount of \$550,000 per watershed group to formalize these collaborative efforts and cost-sharing arrangements and begin the development of the EWMPs, WMPs, and CIMP, which are due to the Regional Board over the next 12 to 24 months. The authorization was granted by your Board. The County's share of the development of these planning documents is estimated to be approximately \$4.5 million. All MOU's in excess of the authorized amount will be brought to your Board for consideration independently.

The MS4 Permit also requires the formation of a Technical Advisory Committee (TAC) to ensure a transparent planning process and provide an opportunity for meaningful stakeholder input throughout the development of the collaborative watershed-based planning documents (EWMPs, WMPs, and CIMP). In accordance with the MS4 Permit, the TAC includes city and County staff, representative nongovernmental organizations, and staff from the Regional Board and the U.S. Environmental Protection Agency. The TAC met for the first time on July 24, 2013.

Low-Impact Development Ordinance

As a condition of pursuing a collaborative watershed planning compliance alternative, the County is required to update its existing Low-Impact Development Ordinance, previously adopted by the Board in November 2008, to conform to the new MS4 Permit requirements. This update must be complete by December 15, 2013. Public Works has been working with County Counsel on this requirement and is scheduled to bring the new Low-Impact Development Ordinance to the Board for consideration in October 2013.

Green Streets Policy

Another condition of the current permit is the development of a Green Street Policy. Public Works is in the process of developing this policy, which is scheduled for completion in December 2013.

Budget Expenditures and Forecast

The Fiscal Year 2013-14 Adopted Budget for the Unincorporated County Stormwater and Urban Runoff Quality Program is \$16 million, which includes \$5.2 million for staffing, \$4.8 million for contracts, consultant work and outside labor, and \$6 million for capital projects. An assessment of budgetary needs for the program reveals that an additional \$3.5 million will be needed for the program. This is due to modified project scopes of work and the increased participation with other permittees in collaborative watershed-based compliance planning efforts. MOUs will be executed among the cities, the County, and Flood Control District to formalize and pay for these efforts.

Public Works will be requesting this additional funding through the Fiscal Year 2013-14 Supplemental Budget process. With regard to staffing, the budget includes the establishment of 25 full-time positions within Public Works. These staff members will provide oversight of the Unincorporated County Areas Stormwater Program. They will be responsible for assisting in departmental administrative efforts, including: permit administration and development of new regulations, implementation of Total Maximum Daily Loads and development of management plans, water quality monitoring, and design, construction, and maintenance of local and regional projects. To date, Public Works has filled 16 of the 25 positions.

Stakeholder Outreach and Coordination

Since adoption of the permit, Public Works has been working extensively with other permittees and stakeholders to initiate compliance efforts and establish watershed groups for consistency in the region. Some of the activities include:

- Attended numerous watershed group meetings to discuss permit requirement and compliance alternatives
- Conducted two information sessions on Enhanced Watershed Management Programs to educate all permittees on compliance alternatives in the permit
- Hosted an information session held by the Regional Board on monitoring requirements in the permit
- Developed templates for use by permittees in soliciting proposals from consultants to develop EWMPs, WMPs, and CIMP.
- Developed guidelines for the Technical Advisory Committee

Outreach and coordination efforts are anticipated to be very important throughout the life of the permit. Public Works will continue to engage stakeholders and members of the general public to solicit meaningful input for the many projects and programs that will be developed.

ARG:jht

P:\wmpub\Secretarial\2013 Documents\Memos\UA Stormwater Compliance Quarterly Report July 2013.docx\C13276

Attach.

cc: Chief Executive Office (Rita Robinson)
Executive Office✓



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

March 28, 2013

Don Kendrick
City of La Verne
3660 "D" Street
La Verne, CA 91750

RECEIVED

APR 1 - 2013

LA VERNE CITY HALL
ADMINISTRATION

Dear Mayor Don Kendrick:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of water quality in Los Angeles County. Last November, the Regional Board reissued the permit establishing requirements for discharges of storm water and non-storm water through the Municipal Separate Storm Sewer System (MS4) within Los Angeles County. The federal Clean Water Act mandates that MS4s be regulated under National Pollutant Discharge Elimination System (NPDES) permits such as the one reissued by the Regional Board November 2012. MS4s provide essential flood protection to your city. However, unless properly managed and monitored, MS4s can discharge pollutants that impair our waters and harm public health. Because your city discharges storm water and non-storm water through a MS4, your city is a permittee subject to the requirements of this permit.

During the permit development process, Regional Board staff worked in a collaborative manner with permittees and other stakeholders, including your city, to identify opportunities within the permit that would meet federal Clean Water Act requirements while also addressing pressing local issues. After careful consideration of all comments received, the Regional Board adopted an innovative permit that both addresses water quality and recognizes the need to provide a sustainable local clean water supply for cities in Los Angeles County.

The Regional Board understands that city officials may have questions regarding the new MS4 permit and its requirements. I would like to make myself and my staff available to meet with you

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

320 West 4th St., Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

at your convenience, or to attend a City Council meeting, to explain the permit and the various compliance mechanisms available to your city, and answer any questions you may have. Please call my Executive Assistant, Ronji Moffett, at (213) 576-6612 if you would like to schedule a meeting with me and my staff.

The Regional Board looks forward to working with your city to implement the MS4 permit to ensure the protection of water quality and public health, and provide a sustainable source of clean water for the residents, businesses, and visitors to your city.

Sincerely,

A handwritten signature in cursive script, reading "Samuel Unger".

Samuel Unger
Executive Officer



GAIL FARBER, Director

COUNTY OF LOS ANGELES
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ALHAMBRA, CALIFORNIA 91802-1460

June 18, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

47 June 18, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**AUTHORIZATION TO SUBMIT LETTERS OF INTENT
ON BEHALF OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
TO PARTICIPATE WITH OTHER PERMITTEES
IN THE DEVELOPMENT OF WATERSHED MANAGEMENT PROGRAMS,
ENHANCED WATERSHED MANAGEMENT PROGRAMS, AND
COORDINATED INTEGRATED MONITORING PROGRAMS
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to sign and submit Letters of Intent to the California Regional Water Quality Control Board, Los Angeles Region, informing it of the Los Angeles County Flood Control District's intent to develop various group Watershed Management Programs, Enhanced Watershed Management Programs, and Coordinated Integrated Monitoring Programs in accordance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

Authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to sign and submit Letters of Intent to the California Regional Water Quality Control Board, Los Angeles Region, informing it of the Los Angeles County Flood Control District's intent to participate in the development of various group Watershed Management Programs, Enhanced Watershed Management Programs, and Coordinated Integrated Monitoring Programs in accordance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to authorize the Chief Engineer of the Los Angeles County Flood Control District (LACFCD) or her designee to sign and submit Letters of Intent, similar to the enclosed sample. The Letters of Intent will be sent to the California Regional Water Quality Control Board, Los Angeles Region, informing it of the LACFCD's intent to participate in the development of collaborative Watershed Management Programs (WMPs), Enhanced Watershed Management Programs (EWMPs), and Coordinated Integrated Monitoring Programs (CIMPs) with other permittees to comply with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit (Permit).

The LACFCD is one of 86 permittees subject to Permit Order No. R4-2012-0175, which became effective on December 28, 2012. The Permit requires all permittees to provide notices and Letters of Intent to the Regional Board by June 28, 2013, detailing the method by which they will comply with the Permit. The Permit provides permittees with three options for achieving compliance with established water quality objectives and encourages permittee collaboration through the formation of watershed management groups. The compliance alternatives established in the Permit are (1) development and implementation of an EWMP, (2) development and implementation of an individual or group WMP, and (3) implementation of very prescriptive requirements and compliance targets of the Permit. All permittees are also required to submit and implement an Integrated Monitoring Program, either individually or collaboratively.

Option 1 – Enhanced Watershed Management Program

Permittees that choose to collaboratively develop an EWMP are given 30 months to develop a program that includes customized strategies, monitoring, and Best Management Practices (BMPs) tailored toward the needs of their watershed areas. An EWMP must evaluate opportunities throughout the watershed for multibenefit regional projects that capture nonstorm and stormwater runoff for groundwater recharge or other reuse. A benefit of including multibenefit regional projects in a compliance program is that upon Regional Board approval of the EWMP and construction of the multibenefit regional project(s), the permittee will be deemed in compliance with all water quality objectives applicable to the drainage area(s) covered by the project(s).

Permittees choosing this option must also complete several early actions, such as development of a Low-Impact Development Ordinance, development of a Green Streets Policy, and completion of a structural BMP or suite of structural BMPs at a scale that provides meaningful water quality improvement.

Option 2 – Individual or Group Watershed Management Program

Permittees that choose to develop an individual or group WMP are given 12 to 18 months to develop a program of customized strategies, monitoring, and BMPs to implement individually or collectively within the permittee(s)' watershed areas. During program implementation, as long as a permittee meets program requirements, the permittee will be deemed in compliance with all established interim compliance dates.

Option 3 – Implementation of Prescriptive Permit Requirements

Permittees that choose the prescriptive Permit option must implement all programs detailed in the Permit and do not have the option of customizing their strategies toward the needs of the watershed areas through the development of a compliance plan. Permittees must meet all applicable water

quality objectives (both interim and final) by the dates established in the Permit. If a permittee is found to be out of compliance, it may be subject to Regional Board enforcement actions and/or financial penalties.

Recommendation

The LACFCD has three options for compliance with the Permit. Based on previous planning and monitoring efforts, it is recommended that the LACFCD choose Option 1 in all watershed areas where it is deemed feasible. This approach can provide many opportunities for leveraging funding for regional grants, fostering partnerships with other permittees and water supply agencies, and economies of scale by minimizing duplicative efforts. This approach also provides extended time frames for integrated planning efforts, action-based compliance, incentives for watershed-based planning, and opportunities for program customization.

For the watersheds that have limited opportunities for regional projects and/or are in areas where jurisdictions have elected not to develop an EWMP and a CIMP, it is recommended that the LACFCD partner with other permittees in the development of WMPs and CIMPs.

The cost for the LACFCD to participate in 12 EWMPs and 5 Watershed Management groups is currently estimated to be \$3 million.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The recommended action supports the development of a cooperative partnership with local agencies to provide a public service in an effective and efficient manner.

FISCAL IMPACT/FINANCING

The purpose of the Letters of Intent is to notify the Regional Board of the LACFCD's intent to participate in collaborative watershed planning with other permittees. We will return to the Board in a future Board letter for approval to execute Memorandums of Understanding between the LACFCD and other participating permittees. Funding for the Memorandums of Understanding is included in the Fiscal Year 2013-14 Flood Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On December 28, 2012, the new Permit (Order No. R4-2012-0175) became effective. The Permit encourages permittees to develop EWMPs and CIMPs collaboratively. Participating in the development of various EWMPs and CIMPs is part of the LACFCD's ongoing programs to comply with the requirements of the Permit.

Approval to execute Memorandums of Understanding between the LACFCD and other participating permittees will be requested in a subsequent Board letter.

ENVIRONMENTAL DOCUMENTATION

The proposed activity is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. The proposed action is an administrative activity of government, which will not

result in direct or indirect physical changes to the environment. We will return to the Board to obtain approval to execute Memorandums of Understanding between the LACFCD and other participating permittees.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current services.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office (Community and Municipal Services Cluster) and one copy to the Department of Public Works, Watershed Management Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:GH:jht

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office



GAIL FARBER, Director

COUNTY OF LOS ANGELES

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IN REPLY PLEASE
REFER TO FILE: **WM-7**

June 19, 2013

Mr. Samuel Unger, P.E., Executive Officer
California Regional Water Quality
Control Board – Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013.

Attention Ms. Renee Purdy

Dear Mr. Unger:

**LETTER OF INTENT – LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
NORTH SANTA MONICA BAY COASTAL WATERSHEDS
ENHANCED WATERSHED MANAGEMENT PROGRAM
AND COORDINATED INTEGRATED MONITORING PROGRAM**

The Los Angeles County Flood Control District (LACFCD) submits this Letter of Intent to participate in and share the cost of the development of an Enhanced Watershed Management Program (EWMP) and a Coordinated Integrated Monitoring Program (CIMP) with the North Santa Monica Bay Coastal Watersheds Group. This Letter of Intent serves to satisfy the EWMP notification requirements of Section VI.C.4.b.iii(3) of Order No. R4-2012-0175 (Municipal Separate Storm Sewer System Permit) and the CIMP requirements of Section IV.C.1 of Attachment E of the Municipal Separate Storm Sewer System Permit.

The North Santa Monica Bay Coastal Watersheds Group consists of the following agencies: City of Malibu as coordinating agency for the EWMP and CIMP development, County of Los Angeles, and LACFCD. The North Santa Monica Bay Coastal Watersheds Group has included a final draft Memorandum of Understanding as Exhibit __ of the Notice of Intent. The LACFCD intends to submit a final Memorandum of Understanding to the County of Los Angeles Board of Supervisors (which is the LACFCD's governing body) for approval prior to December 28, 2013.

Mr. Samuel Unger
June 19, 2013
Page 2

If you have any questions, please contact Ms. Terri Grant at (626) 458-4309 or tgrant@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Chief Engineer of the Los Angeles County Flood Control District

MB:jht

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cc: City of Malibu (Jennifer Brown, Rob DuBoux)

SAMPLE